IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 20 OF 1992

Maharashtra State Road
Transport Corporation ..Appellants

versus

Sampat Maruti Rajpure ..Respondent

Mr. Lokesh h/f. Mr. G. S. Hegde for the Appellants.
None for the Respondent.

CORAM : D. G. DESHPANDE,J.

DATE : 24TH MARCH, 2005

ORAL ORDER :

1. Heard counsel for the appellants. Nobody is present for the respondent, though served.

2. Appellants have challenged the order of the MACT, Raigad, Alibag dated 20.4.1991 by which the appellants were directed to pay Rs.6,000/- with interest at the rate of 12% per annum with proportionate costs to the respondent towards compensation.

3. There was an accident between truck and the S.T. bus. The Tribunal found that the driver of

the S.T. bus was responsible to the extent of 75% and the driver of the truck was responsible to the extent of 25%.

4, Driver of the truck had injuries to his chest and ankle, his ribs were pressed and his left knee had a fracture. The Tribunal has considered all the aspects of the matter in a right perspective and came to a proper conclusion. The claim was only in respect of injury suffered, it was not a fatal case. The compensation awarded is negligible, looking to the injury suffered, therefore no interference is called for. However, grant of interest at the rate of 12% per annum, in the circumstances, is required to be reduced. Hence, the Order:

ORDER

Appeal is partly allowed. Interest awarded by the Tribunal is reduced to 9% per annum. Rest of the order to remain the same. No costs of this Appeal. If the amount is not withdrawn the Appellant will be entitled to claim refund of it after making calculation at the above rate.

24.03.2005 (D.G. DESHPANDE, J.)